Award Negotiations
Award negotiations, means the scope of activities between proposal submission and the acceptance of an award by the University. During this period, the award mechanism (grant, cooperative agreement or contract) and the sponsor will largely determine the length and complexity of the negotiation process. The end result of award negotiations is a mutually agreeable set of terms under which the University will conduct the proposed project. Please note that the Research Office must often work in conjunction with the Office of General Counsel and the Office of Technology Commercialization. More information can be found at the following websites:
http://tamus.edu/offices/legal/
http://otc.tamu.edu/

Who Can Negotiate the Award?
The authority to negotiate an award on behalf of the University has been delegated to the Office of Research and Scholarly Activity. The Research Office works in conjunction with the Principal Investigator to negotiate an award that is acceptable to the University, Principal Investigator, and sponsor.

Changes to the Scope of Work and/or Budget
Any time a sponsor requests or requires a change in the originally proposed budget or scope of work, the Principal Investigator should always notify and coordinate a response through the Research Office before submitting a revised budget or scope of work.

Grants and Cooperative Agreements
Grants and cooperative agreements usually contain references to a sponsor's established grants management policies or in the case of government grants, government-wide regulations, laws or directives.

Industry Research Contracts
Agreements with private sponsors cover many activities including basic, applied or developmental research, collaborative research, and various types of testing. As a public, state-controlled institution of higher education, the University is bound by certain policies and regulations regarding what it can and cannot accept in an agreement. These policies are designed to foster the University's basic mission of teaching, research and public service and to ensure the academic freedom of our faculty. Because for-profit private sponsors are motivated by different forces, they sometimes do not understand the ideals and principles behind our policies. Consequently, negotiations can take additional time while the Research Office works with the sponsor to arrive at a mutually acceptable agreement. Whenever possible, the University tries to negotiate an agreement using the appropriate standard University contract language for the activity proposed. These standard agreements address key concepts required by University policy. When a private sponsor prepares an agreement or insists on controlling the preparation of an agreement, these concepts may or may not be addressed and can lead to protracted negotiations. Contract negotiations with private sponsors can be difficult and complex because the agreements must address a large number of issues such as budget, scope of work, intellectual property rights, publication rights, indemnification, termination and
confidentiality. Principal Investigators should discuss all aspects of the proposed project with the Research Office prior to the start of negotiations. In particular, the office needs to know whether graduate students will be involved in the project, and whether existing University or sponsored-owned intellectual property will be used in conducting the project.

**Federal/State Contracts**
Contract negotiations with a government agency primarily focus on budget and scope of work issues. The terms and conditions of the award are usually fixed by law or regulation. However, it is important to make sure that the terms and conditions imposed by the agency are appropriate for the work proposed and applicable to the University.